

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  
(REV. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

BDM-06-1217

**10/588136**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/FR2005/000280

INTERNATIONAL FILING DATE  
08 February 2005 (08.02.05)

PRIORITY DATE CLAIMED  
11 February 2004 (11.02.04)

TITLE OF INVENTION  
DISPENSER FOR A COSMETIC, CLEANSING OR PHARMACEUTICAL COMPOSITION


APPLICANT(S) FOR DO/EO/US  
Michel Domy and Pierre Mermoud

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 C.F.R. 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) <b>10/588136</b>		INTERNATIONAL APPLICATION NO. PCT/FR2005/000280		ATTORNEY'S DOCKET NUMBER BMD-06-1217	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee..... \$ 300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee..... \$ 200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee..... \$ 400.00				\$ 400.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed Priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	17 - 20 =	0	x \$ 50.00	\$	
Independent claims	2 - 3 =	0	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$1,030.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest Claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$1,030.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
<b>TOTAL FEES ENCLOSED =</b>				\$1,030.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1,030.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 50-2719 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>					
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <div style="text-align: right; margin-right: 100px;">   T. Daniel Christenbury, Reg. No. 31,750 </div>					
<p><b>Customer No. 035811, whose contact information is:</b>  <b>IP Group of DLA Piper Rudnick Gray Cary US LLP</b>  <b>One Liberty Place, Suite 4900</b>  <b>1650 Market Street</b>  <b>Philadelphia, PA 19103</b>  <b>(215) 656-3381</b></p>					

IAP5 Rec'd PCT/PTO 31 JUL 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/588136

Art Unit :  
Examiner :  
Serial No. :  
Filed : Herewith  
PCT No. : PCT/FR2005/000280  
PCT Filed : February 8, 2005  
Inventors : Michel Domy  
: Pierre Mermoud  
Title : DISPENSER FOR A COSMETIC,  
: CLEANSING OR  
: PHARMACEUTICAL COMPOSITION

Customer No.: 035811

Docket No.: BDM-06-1217

Confirmation No.:

Dated: July 31, 2006

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**37 CFR 1.10  
EXPRESS MAIL CERTIFICATION**

"Express Mail" mailing label number: EV 548524527 US

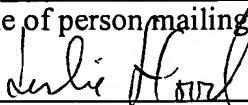
Date of Deposit: July 31, 2006

DESCRIPTION OF CONTENTS: Postcard, \$1,030.00 Check, an Application Transmittal Letter, in duplicate, Form PTO-1390, in duplicate, an Application Data Sheet (1 page), an English translation of the above-identified PCT Application as it was filed, including 17 pages of Specification, 4 pages of Claims, 1 page Abstract and 5 sheets of Drawings, a Preliminary Amendment, a Substitute Specification (Marked-Up), a Substitute Specification (Clean Copy), copies of Request (5 pages), Forms PCT/RO 125 and PCT/IB/306, the first page of WO 2005/079622 A1 with the International Search Report, and Form PCT/ISA/237, an Information Disclosure Statement and Form PTO-1449 with copies of the publications.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to **Mail Stop PCT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Leslie Hood

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

107588136

Art Unit :  
Examiner :  
Serial No. :  
Filed : Herewith  
PCT No. : PCT/FR2005/000280  
PCT Filed : February 8, 2005  
Inventors : Michel Domy  
          : Pierre Mermoud  
Title : DISPENSER FOR A COSMETIC,  
       : CLEANSING OR  
       : PHARMACEUTICAL COMPOSITION

Customer No.: 035811

Docket No.: BDM-06-1217

Confirmation No.:

Dated: July 31, 2006

**APPLICATION TRANSMITTAL LETTER**

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We submit herewith for filing in the U.S. Patent and Trademark Office Form PTO-1390, in duplicate, an Application Data Sheet (1 page), an English translation of the above-identified PCT Application as it was filed, including 17 pages of Specification, 4 pages of Claims, 1 page Abstract and 5 sheets Drawings, a Preliminary Amendment, a Substitute Specification (Marked-Up), a Substitute Specification (Clean Copy), copies of the Request (5 pages), Forms PCT/RO 125 and PCT/IB/306, the first page of WO 2005/079622 A1 with the International Search Report, and Form PCT/ISA/237, an Information Disclosure Statement, Form PTO-1449 with copies of the publications, and our check in the amount of \$1,030.00, comprising the official filing fee.

Respectfully submitted,



T. Daniel Christenbury  
Reg. No. 31,750  
Attorney for Applicants

TDC:lh  
(215) 656-3381